

FIGURE 29.—MINIMUM PHOTOMETRIC PERFORMANCE OF RETROFLECTIVE SHEETING IN CANDELLA/LUX/SQUARE METER

Entrance angle	Observation angle				Grade
	0.2 Degree		0.5 Degree		
	White	Red	White	Red	
— 4 degree	250	60	65	15	DOT-C2
30 degree	250	60	65	15	DOT-C2
45 degree	60	15	15	4	DOT-C2
— 4 degree	165	40	43	10	DOT-C3
30 degree	165	40	43	10	DOT-C3
45 degree	40	10	10	3	DOT-C3
— 4 degree	125	30	33	9	DOT-C4
30 degree	125	30	33	8	DOT-C4
45 degree	30	8	8	2	DOT-C4

Issued on September 30, 1993.

Howard M. Smolkin,

Executive Director.

[FR Doc. 93-24517 Filed 10-5-93; 8:45 am]

BILLING CODE 4910-69-M

INTERSTATE COMMERCE COMMISSION

49 CFR Parts 1002, 1017, 1018, 1312, 1313 and 1314

[Ex Parte No. 508]

Fee Billing and Collection

AGENCY: Interstate Commerce Commission.

ACTION: Lifting of stay of effective date.

SUMMARY: On February 9, 1992 at 58 FR 7748, the Commission published final rules in this proceeding which were to be effective on April 3, 1993. Due to technical difficulties with the development of the computerized fees and billing system which support the fee billing and collection program, it was necessary to stay the effective date of these rules until further notice at 58 FR 17788, April 6, 1993. That system is now operational; therefore, the stay is being lifted.

DATES: The rules are effective on October 1, 1993.

FOR FURTHER INFORMATION CONTACT: Anthony Jacobik, Jr., (202) 927-5827. [TDD for hearing impaired: (202) 927-5721].

Decided: October 1, 1993.

By the Commission, Chairman McDonald.

Sidney L. Strickland, Jr.,

Secretary.

[FR Doc. 93-24651 Filed 10-5-93; 8:45 am]

BILLING CODE 7035-01-P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

RIN 1018-AB83

Endangered and Threatened Wildlife and Plants; Final Rule to Determine a Utah Plant, of *Lesquerella Tumulosa* (Kodachrome Bladderpod), as an Endangered Species

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Final rule.

SUMMARY: The U.S. Fish and Wildlife Service (Service) determines a Utah plant species, *Lesquerella tumulosa* (Kodachrome bladderpod), to be an endangered species. *L. tumulosa* is endemic to lower elevations of the Paria River drainage in Kane County in southern Utah, where it grows on soils derived from the Carmel geological formation. *L. tumulosa* exists in only one population that consists of about 20,000 plants. Its habitat is impacted by off-road vehicles and mineral development. This determination that *L. tumulosa* is an endangered species provides the plant protection under the Endangered Species Act.

EFFECTIVE DATE: November 5, 1993.

ADDRESSES: The complete file of this rule is available for public inspection, by appointment, during normal business hours at the U.S. Fish and Wildlife Service, 2060 Administration Building, 1745 West 1700 South, Salt Lake City, Utah 84104.

FOR FURTHER INFORMATION CONTACT: John L. England at the above address (801/975-3630).

SUPPLEMENTARY INFORMATION:

Background

The Kodachrome bladderpod was discovered in 1966 by Rupert Barneby at

a site in the Kodachrome Basin, Paria River drainage, northern Kane County, Utah. The plant has undergone several taxonomic revisions. Barneby (1966) described the plant as *Lesquerella hitchcockii* ssp. *tumulosa*, comparing the taxon with *Lesquerella hitchcockii* ssp. *rubicundula* (now *Lesquerella rubicundula*) from the nearby Paunsagunt Plateau. Reveal (1970), in a taxonomic treatment of the *Lesquerella hitchcockii* complex, elevated *L. h.* ssp. *tumulosa* to species rank as *Lesquerella tumulosa*. Rollins and Shaw (1973) submerged *L. tumulosa* in *L. rubicundula*. Finally, Welsh and Reveal (1977) and Welsh et al. (1987) re-established *L. tumulosa* based on its distinctive morphology, ecological requirements, and spatial separation from other similar plants.

Welsh et al. (1987) treated *L. tumulosa* as a species and distinguished it from its close relative, *L. rubicundula*. *L. tumulosa* has very small linear leaves and a distinctive pulvinate growth form arising from a many-branched caudex, whereas *L. rubicundula* has spatulate leaves and a caespitose growth form arising from a simple to few-branched caudex. *L. tumulosa* is restricted to very xeric shale outcrops at about 1,740 m (5,700 feet) elevation; *L. rubicundula* grows on more mesic limestone soils at about 2,040 m (6,700 feet) elevation and higher. *L. tumulosa* is restricted to a small area in the Kodachrome Basin; *L. rubicundula* is restricted to a limited area on the Paunsagunt Plateau. There are no known intermediate populations between these two species.

Lesquerella tumulosa is a perennial herbaceous plant. It has a densely pulvinate caespitose growth from a many-branched caudex, and forms hemispheric clumps or cushions. The caudex branches are clothed with numerous marcescent leaves and leaf bases. The stems are 1 to 4 cm (0.4 to 1.6 in) in length and have mainly basal

leaves. The leaves are 2 to 10 mm (0.1 to 0.4 in) long and about 1 mm (0.05 in) wide and are pubescent with stellate hairs. Leaves are not differentiated into a blade and petiole. The flowers of *L. tumulosa* have spatulate, yellow petals 5 to 7 mm (0.2 to 0.3 in) long. The fruit is an ovoid silicle about 3 mm (0.1 in) long, and contains 2 to 4 seeds (Barneby 1966; Reveal 1970; Welsh and Reveal 1977; Welsh et al. 1987).

Lesquerella tumulosa grows on sparsely vegetated white shale knolls in thin, poorly developed soils that are derived from the Winsor member of the Carmel geologic formation (Welsh and Reveal 1977; Welsh 1978; Franklin 1990). Plant species commonly associated with *L. tumulosa* include: *Pinus edulis* (pinyon pine), *Juniperus osteosperma* (Utah juniper), *Purshia tridentata* (bitterbrush), *Cryptantha flava* (yellow cryptantha), *Stipa hymenoides* (Indian ricegrass), *Eriogonum corymbosum* (wild buckwheat), *Asclepias cryptoceras* (pallid milkweed), *Hymenopappus filifolius* (hyaline herb), and *Oenothera caespitosa* (morning-lily).

Lesquerella tumulosa is restricted to one population of about 20,000 plants that have a total range of about 4 km (2.5 mi). It is only found in the Kodachrome flats area of the Paria River drainage in northern Kane County, south-central Utah (Franklin 1990). The small population size of *L. tumulosa* and restricted habitat make the species vulnerable to human-caused and natural environmental disturbances. Some of its habitat has been destroyed by gravel aggregate removal (Welsh 1978), and an active gravel quarry is located on *L. tumulosa* habitat. Off-road vehicle use, mineral exploration, and mining claim assessment work also are threats to the habitat of this species.

Lesquerella tumulosa occurs only on public lands owned and managed by the State of Utah and the Bureau of Land Management. Most plants (90 percent) of this species occur on a single section of State land.

Section 12 of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et. seq.*), directed the Secretary of the Smithsonian Institution to prepare a report on those plants considered to be endangered, threatened, or extinct. This report, designated as House Document No. 94-51, was presented to Congress on January 9, 1975. On July 1, 1975, the Fish and Wildlife Service (Service) published a notice in the Federal Register (40 FR 27823) of its acceptance of the report as a petition to list the taxa named therein under section 4(c)(2) of the Act (petition acceptance is now

governed by section 4(b)(3)(A) of the Act), and its intention to review the status of those plants.

Lesquerella tumulosa was proposed by the Service for listing as endangered along with some 1,700 other vascular plant taxa on June 16, 1976 (41 FR 24523). General comments received in relation to the 1976 proposal were summarized and published on April 26, 1978 (43 FR 17909). The 1978 amendments to the Act required that all proposals over 2 years old be withdrawn, though proposals published before the date of enactment of the 1978 amendments could not be withdrawn before the end of a 1-year grace period beginning on the date of enactment. On December 10, 1979, the Service published a notice of withdrawal of that portion of the June 16, 1976, proposal that had not been made final (44 FR 70796). That proposal included *L. tumulosa*.

The July 1975 notice was updated by a December 15, 1980, notice (45 FR 82480) which included *L. tumulosa* as a category 1 species. Category 1 comprises taxa for which the Service has significant biological information to support proposing them for listing as endangered or threatened species.

The Service published a Notice of Review on September 27, 1985 (50 FR 39526), replacing the 1980 Notice of Review and the 1983 supplement. This Notice of Review reclassified *L. tumulosa* from category 1 to category 2, because the Service received a status survey report which indicated that the population of *L. tumulosa* was much larger than previously reported (Hreha 1982). The Service deemed it prudent at that time to further review the status of *L. tumulosa* before proposing to list the species as either endangered or threatened. On February 21, 1990, the Service published a new Notice of Review (55 FR 6184) replacing the previous notices. This notice maintained *L. tumulosa* in category 2. In 1991, the Service received significant additional information based on extensive field work (Franklin 1990) that indicated *L. tumulosa* should be listed as endangered.

Section 4(b)(3)(B) of the 1982 amendments to the Act requires the Secretary of the Interior to make findings on certain petitions within 1 year of their receipt. Section 2(b)(1) amendments further require that all petitions pending as of October 13, 1982, be treated as having been newly submitted on that date. The 1975 Smithsonian report was accepted as a petition, and the plant taxa in the Service's 1980 and 1985 notices are treated as though they are petitioned.

Beginning on October 13, 1983, and each successive year, the Service has made 1-year findings that the petition to list *L. tumulosa* was warranted but precluded by other listing actions of higher priority. The Service published a proposed rule on November 3, 1992 (57 FR 49671), proposing endangered status for this species. That proposal constituted the final 1-year finding for *L. tumulosa*.

Summary of Comments and Recommendations

In the November 3, 1992, proposed rule and associated notifications, all interested parties were requested to submit factual reports or information that might contribute to the development of a final rule. Appropriate State agencies, county governments, Federal agencies, scientific organizations, and other interested parties were contacted and requested to comment. Newspaper notices concerning this proposed action were published in The Salt Lake Tribune, the Deseret News, and the Southern Utah News requesting public comments.

Seven comments were received during the comment period of November 3, 1992, through January 4, 1993. Six comments generally supported the proposed listing of *L. tumulosa* as endangered. One commenter opposed the proposal but provided no substantive rationale. One commenter stated that a recent survey (Welsh and Thorne 1992) had identified additional populations of this species and that the new information should be considered prior to a final decision on the listing. The survey referenced addressed several plant species, but it did not address *L. tumulosa*.

Summary of Factors Affecting the Species

Section 4(a)(1) of the Endangered Species Act and regulations (50 CFR part 424) promulgated to implement the listing provisions of the Act set forth the procedures for adding species to the Federal lists. A species may be determined to be an endangered or threatened species due to one or more of the five factors described in section 4(a)(1). These factors and their application to *Lesquerella tumulosa* (Barneby) Reveal are as follows:

A. *The present or threatened destruction, modification, or curtailment of its habitat or range.* Recent inventories of this species have documented a single, small population with a limited range (Franklin 1990). The population is on State and Federal lands and is vulnerable to surface disturbance associated with industrial

development within its habitat (Welsh 1978). An active gravel quarry is present on the habitat of this species, and the remainder is subject to leasing for oil and gas mining. Portions of the habitat have been destroyed by prospecting and excavating gravel and clay.

Lesquerella tumulosa also is vulnerable to off-road vehicles. A new paved road constructed in 1991-1992 provides increased access to the remaining plants, and road travel has increased since its construction. Service biologists estimate that off-road vehicle traffic will increase by about 50 percent in the next decade because of the ease of access afforded by this new paved road.

B. Overutilization for commercial, recreational, scientific, or educational purposes. None known. However, its limited distribution makes *L. tumulosa* vulnerable to vandalism.

C. Disease or predation. Sheep and cattle grazing may have adversely impacted *L. tumulosa* populations. However, the current level of grazing by domestic livestock, if maintained, is not expected to significantly impact the species.

D. The inadequacy of existing regulatory mechanisms. There are no Federal, State, or local laws or regulations that address this species specifically or that directly provide for the protection of its habitat. The Bureau of Land Management is aware of *L. tumulosa* and is considering it in environmental planning of its habitat area until the Service makes a final determination concerning its status under the Act. No Federal agencies are under current legal obligation for the conservation of *L. tumulosa*.

About 90 percent of the remaining plants are located on State land. The Utah State Land Board is authorized, by State law, to provide conservation planning for federally listed endangered and threatened plant species, but no such recognition is granted to nonlisted species. Most of the *L. tumulosa* population is on one section of land owned by the State of Utah.

E. Other natural or manmade factors affecting their continued existence. The total population of *L. tumulosa* is about 20,000 individuals (Franklin 1990). The population of this species is at a level which may not be demographically stable in the long-term. The existence of only one population for this species makes it particularly vulnerable to extinction from any catastrophic event. The effects of past habitat degradation on the species are unknown but may already affect its future existence.

The Service has carefully assessed the best scientific and commercial

information available regarding the past, present, and future threats faced by *L. tumulosa* in determining to make this rule final. Based on this evaluation, the preferred action is to list *Lesquerella tumulosa* as an endangered species. This species is a rare local endemic plant. Its limited habitat is being exploited for mineral extraction and other development activities. It has sustained damage by off-road vehicles, and this damage is increasing. The population size of this species is small and its range is limited. It is vulnerable to environmental disturbances which, when combined with other impacts, may result in population extinction. A status of "threatened" would not be appropriate because threatened does not reflect the present biological condition and vulnerability of this species. A listing as threatened would only indicate that an endangered status would be likely within the foreseeable future. For the reasons given below, it is not considered prudent to designate critical habitat.

Critical Habitat

Section 4(a)(3) of the Act, as amended, requires that to the maximum extent prudent and determinable that the Secretary designate critical habitat at the time a species is determined to be endangered or threatened. The Service finds that designation of critical habitat for *L. tumulosa* is not prudent for this species at this time because possible adverse consequences from vandalism would likely outweigh the minimal benefits accruing from critical habitat designation.

As noted under Factor "A," *L. tumulosa* occupies extremely limited habitat. Designation of critical habitat would result in publication of a detailed description and map of this habitat in the Federal Register, exposing the species to the potential and probable threat of collection and vandalism. Lacking mobility, plants are more vulnerable to vandalism than animals. One person could easily vandalize the single small *L. tumulosa* population. Moreover, few additional benefits would be provided to the species by the critical habitat designation that would not already be provided by listing the species as endangered. Any Federal action that would impact the plant's habitat would be addressed through Section 7 consultation. Section 9(a)(2)(B) of the Act makes it unlawful to remove and reduce to possession any endangered species of plant from areas under Federal jurisdiction or to maliciously damage or destroy such species on any such area. These provisions are difficult to enforce,

however, and publication of critical habitat descriptions and maps would only increase the species' vulnerability. The Bureau of Land Management is aware of the occurrence of *L. tumulosa* on Federal lands and of their obligations under the Act.

The Utah Natural Heritage Program of the Department of Natural Resources is similarly aware of the location of this species on State of Utah lands. Listing the plant as federally endangered would ensure its consideration in planning conducted by the State of Utah. Protection of habitat also would be accomplished through the recovery process.

Available Conservation Measures

Conservation measures provided to species listed as endangered or threatened under the Endangered Species Act include recognition, recovery actions, requirements for Federal protection, and prohibitions against certain practices. Recognition through listing encourages and results in conservation actions by Federal, State, and private agencies, groups, and individuals. The Endangered Species Act provides for possible land acquisition and cooperation with the States and requires that recovery actions be carried out for all listed species. Such actions are initiated by the Service after listing. The protection required of Federal agencies and the prohibitions against certain activities involving listed plants are discussed, in part, below.

Section 7(a) of the Act, as amended, requires Federal agencies to evaluate their actions with respect to any species that is proposed or listed as endangered or threatened and with respect to its critical habitat, if any is being designated. Regulations implementing this interagency cooperation provision of the Act are codified at 50 CFR part 402. Section 7(a)(2) requires Federal agencies to insure that activities they authorize, fund, or carry out are not likely to jeopardize the continued existence of such a species or to destroy or adversely modify its critical habitat. If a Federal action may affect a listed species or its critical habitat, the responsible Federal agency must enter into formal consultation with the Service.

A significant portion of the known population of *L. tumulosa* is on Federal lands under the jurisdiction of the Bureau of Land Management. The Bureau of Land Management, in addition, is responsible for the leasing of minerals under Federal jurisdiction. Federal agencies are responsible for ensuring that Federal land uses and

actions are not likely to jeopardize the continued existence of *L. tumulosa*.

The Act and its implementing regulations found at 50 CFR 17.61, 17.62, and 17.63 set forth a series of general prohibitions and exceptions that apply to all endangered plants. All trade prohibitions of section 9(a)(2) of the Act, implemented by 50 CFR 17.61, apply. These prohibitions, in part, make it illegal for any person subject to the jurisdiction of the United States to import or export, transport in interstate or foreign commerce in the course of a commercial activity, sell or offer for sale this species in interstate or foreign commerce, or to remove and reduce to possession the species from areas under Federal jurisdiction. In addition, for endangered plants, the 1988 amendments (Pub. L. 100-478) to the Act prohibit the malicious damage or destruction on Federal lands and the removal, cutting, digging up, or damaging or destroying of endangered plants in knowing violation of any State law or regulation, including State criminal trespass law. Certain exceptions apply to agents of the Service and State conservation agencies. The Act and 50 CFR 17.62 and 17.63 also provide for the issuance of permits to carry out otherwise prohibited activities involving endangered species under certain circumstances. It is anticipated that few, if any, trade permits would ever be sought or issued for *L. tumulosa* because the species is not common in cultivation or in the wild. Requests for copies of the regulations on listed plants and inquiries regarding prohibitions and permits may be addressed to the Office of Management Authority, U.S. Fish and Wildlife Service, room 432, 4401 North

Fairfax Drive, Arlington, Virginia 22203 (703/358-2104).

National Environmental Policy Act

The Fish and Wildlife Service has determined that an Environmental Assessment, as defined under the authority of the National Environmental Policy Act of 1969, need not be prepared in connection with regulations adopted pursuant to section 4(a) of the Endangered Species Act of 1973, as amended. A notice outlining the Service's reasons for this determination was published in the **Federal Register** on October 25, 1983 (48 FR 49244).

References Cited

- Barneby, R.C. 1966. New sorts of *Lesquerella*, *Euphorbia*, and *Viguiera* from Kane County, Utah. Leaflets of Western Botany. 10:313-317.
- Franklin, M.C. 1990. Report for 1989 challenge cost share project USDI Bureau of Land Management, target species: *Xylorhiza cronquistii* (Cronquist woodyaster), *Lesquerella tumulosa* (Kodachrome bladderpod), *Lepidium montanum* var. *stellae* (Kodachrome pepper-grass). Utah Natural Heritage Program, Salt Lake City. 11 pp.
- Hreha, A.M. 1982. Status report on *Lesquerella tumulosa* (Barneby) Reveal. Prepared for U.S. Fish and Wildlife Service. Meiji Resource Consultants, Layton, Utah. 21 pp.
- Reveal, J.L. 1970. Comments on *Lesquerella hitchcockii*. Great Basin Naturalist 30:94-98.
- Rollins, R.C. and E.A. Shaw. 1973. The genus *Lesquerella* in North America. Harvard University Press, Cambridge, Massachusetts. 288 pp.
- Welsh, S.L. 1978. Status report: *Lesquerella tumulosa*. U.S. Fish and Wildlife Service, Denver, Colorado. 6 pp.
- Welsh, S.L. and J.L. Reveal. 1977. Utah Flora: Brassicaceae (Cruciferae). Great Basin Naturalist 37:279-365.

Welsh, S.L. and K.H. Thorne. 1992. Report of Bureau of Land Management Sensitive Plant Species, Western Kane County, Utah. Unpublished report prepared for the Bureau of Land Management, Salt Lake City, Utah. iv + 56 pp.

Welsh S.L., N.D. Atwood, S. Goodrich, and L.C. Higgins. 1987. A Utah Flora. Great Basin Naturalist Memoirs 9:1-894.

Author

The primary author of this proposed rule is John L. England, U.S. Fish and Wildlife Service, Salt Lake City, Utah (801/975-3630; see **ADDRESSES** above). Harold M. Tyus, Denver Regional Office, Denver, Colorado (303/236-7398) served as editor.

List of Subjects in 50 CFR Part 17

Endangered and threatened species. Exports, Imports, Reporting and recordkeeping requirements, and Transportation.

Regulation Promulgation

Accordingly, part 17, subchapter B of chapter I, title 50 of the Code of Federal Regulations, is amended as set forth below:

PART 17—[AMENDED]

1. The authority citation for part 17 continues to read as follows:

Authority: 16 U.S.C. 1361-1407; 16 U.S.C. 1531-1544; 16 U.S.C. 4201-4245; Public Law 99-625, 100 Stat. 3500, unless otherwise noted.

2. Amend § 17.12(h) by adding the following, in alphabetical order under Brassicaceae, to the List of Endangered and Threatened Plants to read as follows:

§ 17.12 Endangered and threatened plants.
* * * * *
(h) * * *

Species		Historic range	Status	When listed	Critical habi- tat	Special rules
Scientific name	Common name					
Brassicaceae—Mustard family:						
<i>Lesquerella tumulosa</i>	Kodachrome bladderpod	U.S.A. (UT)	E	519	NA	NA

Dated: September 23, 1993.

Bruce Blanchard,
Acting Director, Fish and Wildlife Service.

[FR Doc. 93-24383 Filed 10-5-93; 8:45 am]

BILLING CODE 4310-65-P

50 CFR Part 17

Endangered and threatened wildlife and plants; determination of experimental population status for an introduced population of red wolves in North Carolina and Tennessee

CFR Correction

In title 50 of the Code of Federal Regulations, parts 0 to 199, revised as of October 1, 1992, make the following corrections:

On page 170 in § 17.84, paragraphs (c)(1), (c)(4), (c)(5)(iii), (c)(6), (c)(9), (c)(10), and (c)(11) should be revised, and paragraph (c)(5)(iv) should be added to read as follows:

§ 17.84 Special rules—vertebrates.

* * *

(c) * * *

(1) The red wolf populations identified in paragraphs (c)(9)(i) and (c)(9)(ii) of this section are nonessential experimental populations.

* * *

(4)(i) Any person may take red wolves found in the area defined in paragraph (c)(9)(i) of this section in defense of that person's own life or the lives of others, *Provided That* such taking shall be immediately reported to the refuge manager, as noted in paragraph (c)(6) of this section.

(ii) Any person may take red wolves found in the area defined in paragraph (c)(9)(ii) of this section, *Provided That* such taking is incidental to lawful recreational activities or in defense of that person's own life or the lives of others, and that such taking is reported immediately to the Park Superintendent.

(iii) Any livestock owner may harass red wolves found in the area defined in paragraph (c)(9)(ii) of this section actually pursuing or killing livestock on private properties, *Provided That* all such harassment is by methods that are not lethal or physically injurious to the red wolf and is reported immediately to the Park Superintendent.

(iv) Any livestock owner may take red wolves found in the area defined in paragraph (c)(9)(ii) of this section to protect livestock actually pursued or being killed on private properties after

efforts to capture depredating red wolves by project personnel have proven unsuccessful, *Provided That* all such taking shall be immediately reported to the Park Superintendent.

(5) * * *

(iii) Take an animal that constitutes a demonstrable but non-immediate threat to human safety or that is responsible for depredations to lawfully present domestic animals or other personal property, if it has not been possible to otherwise eliminate such depredation or loss of personal property, *Provided That* such taking must be done in a humane manner, and may involve killing or injuring the animal only if it has not been possible to eliminate such threat by live capturing and releasing the specimen unharmed on the refuge or Park;

(iv) Move an animal for genetic purposes.

(6) Any taking pursuant to paragraphs (c) (3) through (5) of this section must be immediately reported to either the Refuge Manager, Alligator River National Wildlife Refuge, Manteo, North Carolina, telephone 919/473-1131, or the Superintendent, Great Smoky Mountains National Park, Gatlinburg, Tennessee, telephone 615/436-1294. Either of these persons will determine disposition of any live or dead specimens.

* * *

(9)(i) The Alligator River National Wildlife Refuge reintroduction site is within the historic range of the species in North Carolina, in Dare and Tyrrell Counties; because of their proximity, Beaufort, Hyde, and Washington Counties are also included in the experimental population designation.

(ii) The red wolf also historically occurred on lands that now comprise the Great Smoky Mountains National Park. The Park encompasses properties within Haywood and Swain Counties in North Carolina, and Blount, Cocke, and Sevier Counties in Tennessee. Graham, Jackson, and Madison Counties in North Carolina, and Monroe County in Tennessee, are also included in the experimental designation because of the close proximity of these counties to the Park boundary.

(iii) Except for the three island propagation projects and these small reintroduced populations, the red wolf is extirpated from the wild. Therefore, there are no other extant populations with which the refuge or Park experimental populations could come into contact.

(10) The reintroduced populations will be monitored closely for the duration of the project, generally by use

of radio telemetry as appropriate. All animals will be vaccinated against diseases prevalent in canids prior to release. Any animal that is determined to be sick, injured, or otherwise in need of special care, or that moves off Federal lands, will be immediately recaptured by Service and/or Park Service and/or designated State wildlife agency personnel and given appropriate care. Such animals will be released back to the wild on the refuge or Park as soon as possible, unless physical or behavioral problems make it necessary to return the animals to a captive-breeding facility.

(11) The status of the Alligator River National Wildlife Refuge project will be reevaluated by October 1, 1992, to determine future management status and needs. This review will take into account the reproductive success of the mated pairs, movement patterns of individual animals, food habits, and overall health of the population. The duration of the first phase of the Park project is estimated to be 10 to 12 months. After that period, an assessment of the reintroduction potential of the Park for red wolves will be made. If a second phase of reintroduction is attempted, the duration of that phase will be better defined during the assessment. However, it is presently thought that a second phase would last for 3 years, after which time the red wolf would be treated as a resident species within the Park. Throughout these periods, the experimental and nonessential designation of the animals will remain in effect.

* * *

BILLING CODE 1505-01-0

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 663

[Docket No. 921253-2353; ID. 092993E]

Pacific Coast Groundfish Fishery

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Fishing restrictions; request for comments.

SUMMARY: NMFS announces an increase in vessel trip limits for bocaccio, a component of the *Sebastes* complex of rockfish in the groundfish fishery off Oregon and California. This action is authorized under the Pacific Coast